

4-11-1978

## Domestic Energy

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Office of the Secretary of State  
March Fong Eu

111 Capitol Mall, Room 220  
Sacramento, California 95814

Elections Division  
(916) 445-0820

September 12, 1978

TO: ALL REGISTRARS OF VOTERS/COUNTY CLERKS

FROM: CASHMERE M. APPERSON, ELECTIONS TECHNICIAN

Pursuant to Elections Code 3520(b) you are hereby notified that the total number of signatures to the hereinafter named proposed initiative statute filed with all county clerks is less than 100 percent of the number of qualified voters required to find the petition sufficient.

TITLE: DOMESTIC ENERGY

SUMMARY DATE: April 11, 1978

PROponent: Paul A. Randolph

The petition has failed and no further action is necessary.

Cashie

# NEWS RELEASE

from: Secretary of State March Fong Eu  
925 L Street, Suite 605, Sacramento, CA 95814  
(916) 445-6371

For Immediate Release  
September 12, 1978

Contact: Michael S. Gagan

## TWO INITIATIVES FAIL SAYS SECRETARY OF STATE EU

SACRAMENTO -- Secretary of State March Fong Eu today (September 12) officially announced the failure of two initiative drives to qualify for the June 1980 ballot.

"The 'Blasphemy Initiative Constitutional Amendment' and 'Domestic Energy Initiative Statute' have both fallen short of their respective signature requirements," Ms. Eu said.

The blasphemy measure, sponsored by Felix Samaniego of Banning, would have prohibited "persons from printing, distributing or selling any printed matter or from making or distributing any film which blasphemes God, Jesus Christ, the Virgin Mary, Joseph the husband of the Virgin Mary, or the Holy Family, or expose them to contempt and ridicule." The measure needed 499,846 valid signatures to qualify for the ballot.

The domestic energy measure, sponsored by Paul Randolph of Menlo Park, would have repealed the "Energy Resources Conservation and Development Act" and authorized "helium-cooled, barge-mounted nuclear reactors in marinas, offshore supertanker terminals, and pipeline to ocean (sic.) to stabilize the Salton Sea, condemnation of marina lands, the use of utility funds to inform the public, and minimum fifteen percent earnings on utility ownership." The measure needed 312,404 valid signatures to earn a place on the June 1980 ballot.



Office of the Secretary of State  
March Fong Eu

111 Capitol Mall, Room 220  
Sacramento, California 95814

Elections Division  
(916) 445-0820

April 11, 1978

TO ALL COUNTY CLERKS/REGISTRARS OF VOTERS

Pursuant to Section 3513 of the Elections Code, there is transmitted herewith a copy of the Title and Summary prepared by the Attorney General on a proposed Initiative Measure entitled:

DOMESTIC ENERGY  
INITIATIVE STATUTE

Circulating and Filing Schedule

1. Minimum number of signatures required . . . . . 312,404  
Constitution II, 8(b).
2. Official Summary Date , . . . . . Tuesday, 4/11/78  
Elections Code Section 3513.
3. Petition Sections:
  - a. First day Proponent can circulate  
Sections for signatures . . . . . Tuesday, 4/11/78  
Elections Code Section 3513.
  - b. Last day Proponent can circulate and  
file with the county. All Sections are  
to be filed at the same time within each  
county . . . . . Friday, 9/8/78\*  
Elections Code Sections 3513, 3520(a).
  - c. Last day for county to determine total  
number of signatures affixed to petition  
and to transmit total to Secretary of  
State . . . . . Friday, 9/15/78

\* IMPORTANT NOTE: This petition must be filed with the County Clerk or Registrar of Voters by May 4, 1978 to ensure that it will be verified by the county in time to qualify for the November 7, 1978 General Election. September 8, 1978 is the last date which the petition may legally be filed. However, a petition filed on that date could qualify for a later election.

Please call me at (916) 445-0820 if you wish further explanation of this note.

(If the Proponent files the petition with the county on a date prior to 9/8/78, the county has 5 working days from the filing of the petition to determine the total number of signatures affixed to the petition and to transmit this total to the Secretary of State.)  
Elections Code Section 3520(b).

- d. Last day for county to determine number of qualified electors who have signed the petition, and to transmit certificate, with a blank copy of the petition to the Secretary of State . . . . . Saturday, 9/30/78

(If the Secretary of State notifies the counties to determine the number of qualified electors who signed the petition on a date prior to 9/15/78, the last day is not later than the fifteenth day after the notification.)  
Elections Code Section 3520(d), (e).

- e. If the signature count is between 281,164 and 343,644, then the Secretary of State notifies counties using the random sampling technique to determine validity of all signatures.

Last day for county to determine actual number of all qualified electors who signed the petition, and to transmit certificate, with a blank copy of the petition to the Secretary of State . . . . . Monday, 10/30/78

(If the Secretary of State notifies the counties to determine the number of qualified electors who have signed the petition on a date prior to 9/30/78, the last day is not later than the thirtieth day after the notification.)  
Elections Code Section 3521(b), (c).

4. Campaign Statements:

Last day for Proponent to file a Campaign Statement of Receipts and Expenditures for period ending 10/6/78 . . . . . Friday, 10/13/78

(If the Secretary of State finds that the measure has either qualified or failed to qualify on a date earlier than 9/8/78, the last date to file is the 35th calendar day after the date of notification by the Secretary of State that the measure has either qualified or failed to qualify. The closing date for this campaign statement is 7 days prior to the filing deadline.)  
Government Code Section 84204.

5. The proponent of the above named measure is:

Paul A. Randolph  
1149 Chestnut Street  
Menlo Park, CA 94025

(415) 325-4265

WILLIAM N. DURLEY  
Assistant to the Secretary of State  
Elections and Political Reform

*Cashmere M. Apperson (M.A.)*

CASHMERE M. APPERSON  
Elections Technician

CMA:mp

NOTE TO PROPONENT: Your attention is directed to Elections Code Sections 41, 44, 3501, 3507, 3508, 3516, 3517, and 3519 for appropriate format and type considerations in printing, typing and otherwise preparing your initiative petition for circulation and signatures. Your attention is further directed to the campaign disclosure and petition circulating requirements of the Political Reform Act of 1974.

DECLARATION OF MAILING

RE: Initiative title and summary - Domestic  
Energy; Paul A. Randolph, Proponent  
File No. 00002105-SA78RF0009

I, Valeska Barham, declare as follows:

I am a citizen of the United States, over the age of 18 years, and not a party to the within action; I reside in the County of Sacramento, State of California; my business address and place of employment is 555 Capitol Mall, Suite 550, Sacramento, CA 95814.

The proponent(s) of the above named measure is  
Paul A. Randolph  
1149 Chestnut Street  
Menlo Park, California 94025

Telephone (415) 325-4265

On the 11th day of April, 1978, I mailed a letter, a true copy of which is attached hereto, to the person(s) above named, in an envelope addressed to at the address(es) set out immediately below name(s), sealed said envelope(s), and deposited the same in the United States mail at the City of Sacramento, County of Sacramento, State of California, with postage thereon fully prepaid, and there is regular communication between the said place of mailing and the place(s) so addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Sacramento, California, on April 11, 1978

Valeska Barham

DECLARATION OF MAILING

RE: Initiative Title and Summary - Domestic  
Energy; Paul A. Randolph, Proponent  
File No. 00002105-SA78RF0009

I, Valeska Barham, declare as follows:

I am a citizen of the United States, over the age of 18 years, and not a party to the within action; I reside in the County of Sacramento, State of California; my business address and place of employment is 555 Capitol Mall, Suite 550, Sacramento, CA 95814.

The proponent(s) of the above named measure is  
Paul A. Randolph  
1149 Chestnut Street  
Menlo Park, California 94025

Telephone (415) 325-4265

On the 12th day of April, 1978, I mailed a letter, a true copy of which is attached hereto, to the person(s) above named, in an envelope addressed to him at the address(es) set out immediately below his name(s), sealed said envelope(s), and deposited the same in the United States mail at the City of Sacramento, County of Sacramento, State of California, with postage thereon fully prepaid, and there is regular communication between the said place of mailing and the place(s) so addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Sacramento, California, on April 12, 1978

Valeska Barham





OFFICE OF THE ATTORNEY GENERAL

**Department of Justice**

555 CAPITOL MALL, SUITE 350  
SACRAMENTO 95814  
(916) 445-9555

April 11, 1978

March Fong Eu  
Secretary of State  
925 L Street, Suite 605  
Sacramento, CA 95814

Attention Rico Nannini

Re: Title and Summary for Initiative  
Domestic Energy; Proponent, Paul A. Randolph  
File No. 00002105-SA78RF0009

Dear Mrs. Eu:

Pursuant to the provisions of sections 3503 and 3513 of the Elections Code, you are hereby informed that on this day we mailed to Paul A. Randolph, as proponent, the following title and summary:

DOMESTIC ENERGY: INITIATIVE. Repeals Energy Resources Conservation and Development Act. Authorizes: Helium-cooled, barge-mounted nuclear reactors in marinas, offshore supertanker terminals, and pipeline to ocean to stabilize Salton Sea; condemnation of marina lands; use of utility funds to inform public; minimum fifteen percent earnings on utility ownership. Requires: Public Utilities Commission develop radioactive waste storage facility; and state guarantee of and tax exempt financing. Creates Energy Committee of executives of power utilities whose acts prevail over Public Utilities Commission and Legislature and whose consent is condition of amendment of this initiative by two-thirds vote of Legislature. Fiscal impact: State costs could be increased by a billion dollars or more for capital and operating expenses; there is a General Fund appropriation of \$1.9 million; and there could be an unknown but substantial increase in local government costs for energy.

March Fong Eu

2

Enclosed is a declaration of mailing thereof, and a copy of the proposed measure.

According to information available in our records the address and telephone number of the proponent of this measure are as stated on the declaration of mailing.

Very truly yours,

EVELLE J. YOUNGER  
Attorney General



GEORGEY L. GRAYBILL  
Deputy Attorney General

GLG:vb  
Enc.

March 1, 1978

Evelle J. Younger  
Attorney General  
State of California  
555 Capitol Mall, Suite 350  
Sacramento, CA 95814

Re: Initiative Constitutional Amendment

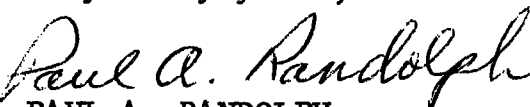
Dear Mr. Younger:

Attached is a copy of the Domestic Energy Initiative proposed by me and titled by your office on October 17, 1975.

I have made certain minor amendments to this particular initiative as indicated by hand written changes therein.

Please substitute this and prepare a title and summary for same in the place of the previous initiative I have submitted to you on Water and Energy by letter dated December 8, 1977, plus subsequent amendments. Mr. Roth has advised me that the \$200 previously deposited for preparing the title and summary of the Water and Energy Initiative may be applied to this present submission.

Very truly yours,

  
PAUL A. RANDOLPH

Original Draft  
submitted by  
But...  
9/17/78  
BR

Req. #16347

12-point  
Blackface  
Type

# INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE ELECTORS

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

Type: Roman  
Blackface not  
smaller than  
12-point

(Here set forth the title and summary prepared by the Attorney General. This title and summary must also be printed across the top of each page of the petition whereon signatures are to appear.)

## TO THE HONORABLE SECRETARY OF STATE OF CALIFORNIA

We, the undersigned, registered, qualified electors of California, residents of \_\_\_\_\_ County (or City and County), hereby propose amendments to the Government Code and the Public Resources Code, relating to energy development, and making appropriation therefor, and petition the Secretary of State to submit the same to the electors of California for their adoption or rejection at the next succeeding general election or at any special state-wide election held prior to that general election or as otherwise provided by law. The proposed statutory amendments (An act to add Title 7.10 (commencing with Section 67800) to the Government Code and to repeal Division 15 (commencing with Section 25000) of the Public Resources Code, relating to energy development, and making an appropriation therefor) read as follows:

Section 1. Division 15 (commencing with Section 25000) of the Public Resources Code is repealed.

Sec. 2. Title 7.10 (commencing with Section 67800) is added to the Government Code, to read:

Title 7.10 DOMESTIC ENERGY ACT

Chapter 1. General Provisions

67800. This title shall be known and may be cited as the Domestic Energy Act.

67801. The people of the State of California hereby find and declare that an energy emergency jeopardizes the future welfare of the people of the State of California, that energy self-sufficiency based on fossil fuels can only be temporary, and that the validation of the nuclear power option will insure that adequate power will be available to provide a domestic source of energy for present and future generations.

67802. The people further find and declare that the helium cooled reactor design will enhance the safety, environmental acceptability, reliability, and economic value of nuclear reactors, and that adequate power generation capability will be assured by permitting the immediate construction and operation of a statewide power system that shall be tied in to a nationwide power intertie.

#### Chapter 2. Energy Conservation Measures

67803. (a) To provide for the long-term availability of low cost nuclear fuel, the construction and operation of a 1,500 megawatt helium-cooled, barge mounted, fast reactor shall be permitted in the first available power marina site.

(b) Additional fast reactors shall be constructed as barge-mounted, as required by the energy committee.

67809. Construction and operation of gas centrifuge reactor fuel processing facilities are hereby authorized and shall be land based adjacent to the power marina sites.

67810. Marinas for the mooring of concrete barges mounting the helium cooled reactors and gas centrifuge reactor fuel processing facilities shall be constructed inland from the coast, yet close enough to the ocean so that cooling water from the ocean will be economically available. Navigational access to the marinas shall be provided so that the barges may move in and out to sea as desired.

67811. The Public Utilities Commission is authorized to condemn and to take possession of such property as the utility companies require to construct and operate each power marina. The utility companies may commence immediate construction on such properties concurrent with the commission's undertaking of legal action to acquire title thereto.

67812. Title to all property acquired by the Public Utilities Commission shall be transferred, at cost, to the utility or utilities undertaking each development. The utilities may advance the moneys for the site acquisitions to the commission if it is of practical necessity to do so.

67813. Location of the power marinas shall be as follows: Santa Margarita Lagoon, Camp Pendleton, the Banning Property, Newport Beach (as well as all abutting vacant property) and Moss Landing, adjacent to the existing power plant as required.

67814. The navigational features of each marina shall be constructed by the utilities, but the cost of such navigational portion shall be borne by the appropriations from the General Fund in the State Treasury. Such appropriations are hereby authorized.

67815. Power barges shall be constructed so that the underside of each barge is divided, insofar as possible, into twenty-foot compartments, six feet deep, open to the water at the underside. These compartments shall be kept filled with compressed air at all times to serve as a pneumatic shock absorber of vertical shocks.

67816. An underground storage facility for radioactive waste material shall be designed, constructed, and operated by the Public Utilities Commission in the general area east of Randsburg, in the County of San Bernardino. Provision for recovery of waste material in storage shall be provided for so that if technological innovations permit reuse of such materials, they will be readily available.

67817. To augment to diminishing supplies of natural gas, the Public Utilities Commission shall encourage the construction, by public utilities, gas companies, or petroleum companies, of massive capabilities for fractioning sea water into hydrogen and oxygen, with the hydrogen to be injected into the gas distribution systems as soon as the gas systems can be modified to properly receive the hydrogen. ~~The <sup>OZONE</sup> shall be used in waste water purification:~~  
~~THE OXYGEN SHALL BE VENTED TO THE ATMOSPHERE~~  
~~the enrichment of the atmosphere, ocean, and inland waters: and secondary~~  
~~FROM THE TOP OF SELECTED MOUNTAINS IN CALIFORNIA.~~  
~~petroleum recovery.~~ PRR

Fractionation of sea water shall be ~~undertaken within the reactor~~  
~~environment or by electrolysis, as economics dictate~~ PRR

67818. Recycling the waste water of urban areas shall be permitted and encouraged, using reverse osmosis systems in areas of critical water shortage. OZONE PRETREATMENT SHALL BE USED.

67819. Design and construction of a suitable ~~CAULDRON~~  
~~feasible~~ pipeline to PRR  
the ocean to stabilize the level of the Salton Sea is hereby authorized. ~~an~~  
~~appropriation for this purpose shall be made by the Legislature within one year~~  
~~of the effective date of this title~~

67820. The School of Engineering and Applied Sciences at the University of California, Los Angeles, is authorized to undertake the immediate development of a commercially feasible capability to contain Hydrogen gas in existing interstate and domestic gas transmission facilities. Funding in addition to the initial appropriation made for this purpose shall be subject to the approval of the Energy Committee.



67821. (a) Authorization is granted for the construction and operation of three floating, offshore super tanker terminals, in deep water, complete with connecting pipelines and on-shore storage and pumping facilities. Such terminals shall be located at sea offshore from Los Angeles Harbor, El Segundo, and Moss Landing.

(b) The offshore terminals shall be constructed, owned, and operated by a private California corporation whose equity shall be owned by the several energy-related corporations which wish to subscribe to the use of such facilities. Use of the terminals shall be made available to nonowners at a fair rental.

67822. Utility companies may use corporate funds to purchase time and space in all types of public communications media to inform the public properly on matters of corporate welfare and matters relating to planning to serve the public in an orderly and uninterrupted manner in the present and future. Mailing information in the monthly utility billings is a proper use of corporate funds.

67823. The State of California shall guarantee the financial instruments necessary to facilitate the underwriting of the projects undertaken pursuant to this title. Such instruments shall enjoy tax exempt status.

67824. During the time of construction, all projects constructed under this title shall enjoy tax exemption of all kinds until such a time as they are revenue producing.

Chapter 3. Energy Committee

67850. There is in the state government the Energy Committee, consisting of the chief executive officers of each of the California power-producing utility companies, including municipal utilities, and the chairman of the Public Utilities Commission. The committee shall meet once each month, on the first Wednesday of each month, at a place in California of the members' choice, to establish policies and directives that will give practical effect to this title.

67851. Each member of the Energy Committee shall vote the number of kilowatt hours his company produced the previous calendar year. Each vote shall carry that corresponding percentage of the total vote cast to the total kilowatt hours produced in the state the preceding calendar year. *THE REPRESENTATIVE OF THE FUNDING SOURCE SHALL HAVE 51% VOTE.*

67852. The chairman of the Public Utilities Commission shall be the presiding officer of the Energy Committee and shall not vote except where there is a tie vote; then his vote shall be the deciding vote.

67853. Costs of the Energy Committee shall be paid by the members thereof on a prorata basis based on the percentage of kilowatt-hours produced to the total produced in the state the previous calendar year.

67854. The acts of the Energy Committee shall take precedence over the decisions of the Public Utilities Commission as well as acts of the Legislature.

67855. In the event that technology of substantial economic advantage becomes available to the obsolescence of the technology set forth in this measure then at the discretion of the Energy Committee such superior technology shall be utilized at the earliest practical time.

67856. The people having determined that time is of the essence in the present energy emergency, the Public Utilities Commission may accept grants, contributions, and appropriations; create a staff as it deems necessary; contract for any professional services; be sued and sue to obtain any remedy to restrain violations of this title; and take any action it deems reasonable and necessary to carry out provisions of this title.

67857. The Attorney General shall furnish legal representation as required by the committee.

#### Chapter 4. Utility Rates

67870. The people further find and declare that greater utility management and regulatory efficiencies

will be achieved by adoption of automatic escalator clauses designed to raise or lower utility rates to provide a range of earnings on equity of at least 15 percent or to provide coverage of interest payments, or both, in order to reduce the cost of capital to utilities.

67871. Amendments to this measure shall be made only by a two-thirds affirmative vote of each house of the Legislature, subject to the advice and consent of the Energy Committee, and may be made only to achieve the objectives of this initiative measure.

67872. The provision of Title 67854 of the Government Code may be amended only by the electors of the State of California at a general or special statewide election.

67873. If any provisions of this measure or the application thereof to any person or circumstance is held invalid such invalidity shall not effect other provisions or applications of the measure which can be given effect without the invalid provision or application, and to this end the provisions of this measure are severable.

~~67874. If both this measure and the Land Use and Nuclear Power Liability and Safeguards Act, an initiative measure, are approved by the voters and this measure receives the higher number of affirmative votes, this measure shall prevail, and the Land Use and Nuclear Power Liability and Safeguards Act shall have no force or effect.~~

DELETE

ADR 2-1-78

67875. The sum of one million four hundred thousand dollars (\$1,900,000) is hereby appropriated from the General Fund in the State Treasury for expenditure without regard to fiscal year, according to the following schedule:

Schedule:

(a) To the Energy Committee for design and acquisition of a site for the waste storage facility provided in Title 67816 of the Government Code ..... \$900,000

(b) To the Energy Committee for contracted design of reversible pipe line as specified in Title 67816 of the Government Code ..... \$500,000

(c) To the University of California for expenditure by the School of Engineering and Applied Sciences at the Los Angeles campus for the purposes specified (hydrogen gas transmission) in Title 67820 of the Government Code ..... \$500,000